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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,503	07/16/2001	Lonnie Sisco	114270.1561	2259
30734	7590	11/19/2004	EXAMINER	
BAKER + HOSTETLER LLP WASHINGTON SQUARE, SUITE 1100 1050 CONNECTICUT AVE. N.W. WASHINGTON, DC 20036-5304			JEAN GILLES, JUDE	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/904,503

Applicant(s)

SISCO ET AL.

Examiner

Jude J Jean-Gilles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

This office action is responsive to communication filed on 07/16/2001.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 11-18, and 20 are rejected under 35 U.S.C. 102(e) as being unpatentable by Bowman-Amuah et al (U.S. Patent No. 6,289,382 B1).

Regarding **claim 1**: Bowman-Amuah et al teach a method for accessing a Baan server (*fig. 28, item 2820; column 106, lines 9-13*), comprising the steps of:

sending data from a Visual Basic program (*column 34, lines 55-62*) to a Baan server (*fig 28, item 2820*);

receiving the data at the Baan server (*fig. 150, items 15000-15002; column 268, lines 47-50*); and

storing information in the Baan server in response to the received data (*column 16, lines 23-29*).

Regarding **claim 2**: Bowman-Amuah et al teach the method of claim 1, wherein the Visual Basic program is an Active X DLL program (*column 16, lines 23-29*).

Regarding **claim 3**: Bowman-Amuah et al teach the method of claim 1, further comprising the steps of: accessing the Visual Basic program, which is resident on a server, from a computer over a network link (*column 26, lines 12-19*).

Regarding **claim 4**: Bowman-Amuah et al teach the method of claim 3, wherein said network link is an Internet (*column 45, lines 31-51*).

Regarding **claim 5**: Bowman-Amuah et al teach the method of claim 3, wherein said accessing step is accomplished through a web page developed using Active Server Pages (ASP) script (*column 106, lines 36-43*).

Regarding **claim 11**: Bowman-Amuah et al teach a system for accessing a Baan server (*fig. 28, item 2820; column 106, lines 9-13*), comprising:

a network server containing a Visual Basic program (*column 34, lines 55-62; fig. 29, item 3000; it is important to note that the server is the Baan server and that the application is the Visual Basic program*); and

a Baan server, wherein the Visual Basic program is used to access the Baan server (*column 25, lines 43-50*).

Regarding **claim 12**: Bowman-Amuah et al teach the system of claim 11, wherein said network server is an Internet server (*column 27, lines 5-19*).

Regarding **claim 13**: Bowman-Amuah et al teach the system of claim 11, wherein said network server, further contains a web page developed using ASP script (*column 106, lines 35-40*), and wherein said web page is used to provide information to said Visual Basic program for accessing said Baan server (*column 35, lines 10-22*).

Regarding **claim 14**: Bowman-Amuah et al teach the system of claim 11, further comprising: a computer for accessing said network server (*column 27, lines 13-15*).

Regarding **claim 15**: Bowman-Amuah et al teach the system of claim 14, wherein said user accesses said network server using a remote network program (*column 60, lines 19-53*).

Regarding **claim 16**: Bowman-Amuah et al teach the system of claim 15, wherein the remote network program is CITRIX (*column 60, lines 57, 63-64*).

Regarding **claim 17**: Bowman-Amuah et al teach a system for accessing Baan (*fig. 28, item 2820; column 106, lines 9-13*), comprising:

a computer means for accessing a network server (*column 69, lines 23-30; fig 117, items 11700-11704*);

a network server means for accessing a Baan server through a Visual Basic program (*column 25, lines 43-50*); and

a Baan software means for managing and processing data as directed by the computer means (*column 38, lines 4-21*).

Regarding **claim 18**: Bowman-Amuah et al teach the system of claim 17, wherein the computer means utilizes an Internet to access the network server (*column 27, lines 5-13*).

Regarding **claim 20**: Bowman-Amuah et al teach the system of claim 17, wherein the data is at least one of financial, manufacturing, and distribution data (*fig. 45, item 4510*).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6-10, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowman-Amuah et al (U.S. Patent No. 6,289,382 B1) in view of Rogers et al (U.S. Patent No. 6,405,111 B2).

Regarding **claim 6 and 19**: Bowman-Amuah et al disclose the invention substantially as claimed. Bowman-Amuah et al disclose the method of claim 5, wherein a Baan server is accessed through a web page developed using Active Server Pages (ASP) script (*column 106, lines 36-43*). However Bowman-Amuah et al are silent on the step of having said Baan server providing data services for automotive service applications.

In the same field of endeavor, Rogers et al disclose an automotive service equipment application wherein updated vehicle operating specifications may be accessed over the Internet and conveniently applied by the automotive service software application (*column 5, lines 35-43; fig. 1, items 12-42*).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Rogers et al's teachings of data services for automotive service applications with the teachings of Bowman-Amuah et al, for the purpose of illustrating an organization approach including all activities

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component, a credit/collections component, a billing component , and a finance component as stated by Bowman-Amuah et al in fig. 47.

Regarding **claim 7**: The combination Bowman-Amuah - Rogers teaches the method of claim 6, wherein said network link is an Internet [see *Bowman-Amuah, column 45, lines 31-51*]. By this rationale **claim 7** is rejected.

Regarding **claim 8**: The combination Bowman-Amuah - Rogers teaches the method of claim 7, wherein the Visual Basic program is an Active X DLL program [see *Bowman-Amuah, column 98, lines 231-25*]. By this rationale **claim 8** is rejected.

Regarding **claim 9**: The combination Bowman-Amuah - Rogers teaches the method of claim 7, wherein said accessing step is accomplished using a remote network access program[see *Bowman-Amuah, column 60, lines 19-53*]. By this rationale **claim 9** is rejected.

Regarding **claim 10**: The combination Bowman-Amuah - Rogers teaches the method of claim 9, wherein the remote access program is CITRIX. [see *Bowman-Amuah, column 106, lines 9-13*]. By this rationale **claim 10** is rejected.

**Conclusion**

4. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3719.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Jude Jean-Gilles  
Patent Examiner  
Art Unit 2143

JJG

November 8, 2004

William C. Vaughn  
Primary Examiner  
Art Unit 2143  
William C. Vaughn